

## COMMERCIAL STREET TASK FORCE MEETING

REVISED

August 12, 2009

6:30 p.m.

Busch Building - Room L45

**MEMBERS** Nicholas Ibarra, Chair; Cynthia Rushefsky; Doug Burlison; Mike MacPherson;  
**PRESENT:** Pauletta Dunn; Cindy Stephens; Lyle Foster; Steve Weimer; Mary Collette; Jim Harriger;  
Rusty Worley; Laura Derrick; Mark Davis; Phyllis Ferguson, and Bob Pilkington.

### MEMBERS

**ABSENT:** Jack Pugh.

### STAFF

**PRESENT:** Ralph Rognstad, Planning and Development; and Anita Baker Climer, City Clerk's Office.

**GUESTS:** Donnie Rodgers, Urban Districts Alliance; Lynn Remmark; Ida Barry; Fred Ellison; and  
Wes Johnson, Springfield News Leader.

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Nicholas Ibarra called the meeting to order at approximately 6:30 p.m., and welcomed everyone.

The Task Force briefly reviewed the meeting minutes of July 29, 2009.

The following revisions were requested:

- On page 1, regarding the second to the meeting minutes, change Phyllis Ferguson to Mary Collette
- On page 3, change the word "artesian" to "artisan"
- On page 2, change Chase Street to Frisco Lane on the third paragraph from the top
- On page 1, remove the word "apparently" from the third paragraph from the bottom

Mark Davis moved to approve the meeting minutes of July 29, 2009 as amended. Pauletta Dunn seconded the motion, and it was approved.

The Task Force briefly referred to and discussed an email that was forwarded to the Task Force regarding the issue of reservists from Lynn Rowe, Chief-Police Department, as well as the issue of possibly using ambassadors to help patrol Commercial Street in the future. *(Please refer to Exhibit A located within the City Clerk's Office for additional information.)*

Doug Burlison commented that he feels that the use of possibly using ambassadors for the Commercial Street area would be more appropriate than reservists due to liability issues.

Following further discussion, Rusty Worley briefly explained that ambassador programs are used in larger areas, such as St. Louis, and Memphis, to help provide information, such as distributing maps, and support to visitors about entities/events/activities being held within a particular district area. He noted that a funding mechanism would be needed regarding a possible ambassador program, which the Urban Districts Alliance has been researching.

Mr. Ibarra requested that information be provided to the Task Force regarding the ambassador program in St. Louis. Mike MacPherson affirmed.

Lyle Foster made comments regarding his research pertaining to an ambassador program in Haywood, California, which help provides "eyes and ears" on the street to help report violations/incidences to authorities. He noted that he would try to obtain additional information for the Task Force.

Cindy Rushefsky briefly addressed that reports to the Police are prioritized, so assistance from authorities may not be immediate due to the shortage in staffing. She noted that an ambassador program would have to be underwritten by an entity/organization, such as the Commercial Street Club, because the City has budget issues at this time.

Mr. Ibarra requested that City staff contact Lynn Rowe, Chief-Police Department, regarding the estimated costs for a COP officer, such as the one that use to patrol the Commercial Street area. Anita Baker Climer, City Clerk's Office, affirmed.

Mr. Worley noted that he believes the cost for a COP officer during a 40-hour work week was approximately \$55,000 a year.

Following further discussion, Ralph Rognstad, Director-Planning and Development, addressed the role and function of the City's Zoning Ordinance, as well as reviewed the intent, purpose, and requirements regarding the Center City Zoning. He also discussed the purpose and intent of a Conditional Overlay District, which could be applicable to the Commercial Street area. *(Please refer to Exhibit B located within the City Clerk's Office for additional information.)*

During the discussion, Mr. Rognstad responded to questions posed by the Task Force.

Mr. Rognstad noted that the City's Zoning Ordinance has two parts, which is the text, and the land use map. He added that the Zoning Ordinance includes the following three areas: the use of the property; the intensity of the use; and the design requirements.

Mr. Rognstad stated that the Zoning Ordinance follows the City's Comprehensive Plan.

Mr. Rognstad briefly explained that "intensity" deals with the amount of land use one is allowed to have, which is measured differently depending upon the land use, such as residential. He added that "intensity" is basically the number of units per acre for residential use, and is measured by floor area ratio in commercial applications.

Mr. Rognstad addressed that the City is also governed by the State via enabling legislation regarding the issue of zoning/developments.

Mr. Rognstad discussed that the City has approximately 6 Conditional Overlay Districts at this time. He reported that a Conditional Overlay District differs from an Urban Conservation District.

Mary Collette left the meeting at approximately 7:15 p.m.; however, she returned at approximately 7:18 p.m.

The Task Force and Mr. Rognstad continued to discuss the Commercial Street area, and the issue of zoning, as well as the term "hostels."

Mr. MacPherson informed the Task Force that the City's TIF (Tax Increment Financing) plan regarding Commercial Street would be sent to the Task Force for their review in the future. He noted that the TIF Plan would include the existing land use plan for Commercial Street area at this time.

Mr. Rognstad noted that the City has been reviewing the term “hostels,” which he reported is similar to a hotel.

Mr. Rognstad addressed that a possible Conditional Overlay District or the creation of a new Center City District could be implemented to help address the Commercial Street area in the future. He noted that he feels that the implementation of an Urban Conservation District would be more time consuming and more difficult (it has very specific requirements) than the use of a Conditional Overlay District.

The Task Force and Mr. Rognstad briefly discussed how some cities are using/creating “campuses” located within areas zoned industrial/manufacturing to house social service providers for a more centralized location to help facilitate and coordinate efforts.

Mr. Rognstad explained that he feels that the “market” drives/guides the issue of development and zoning within the City. He added that the Community should help “drive” the vision of what should be implemented or developed within the City.

The Task Force and Mr. Rognstad continued to discuss and make comments regarding the issue of zoning for the Commercial Street area, as well as discussed the issue of parking issues on Commercial Street at this time.

Mr. Rognstad and Mr. Worley noted that the City’s Traffic Engineering Department handles and reviews the issue of parking and roads/street infrastructure improvements within the City.

Mr. Rognstad briefly addressed that the issue of “intensity” is not only governed by the City’s Zoning Ordinance, but also by Building and Fire Codes, etc. as well, which can become “trick.” He reiterated that the “market” plays a significant role regarding the issue of development and zoning within the City.

Mr. Rognstad reported that Harry Cooper owns the old Airport property located on East Division near KOLR 10.

The Task Force and Mr. Rognstad continued to discuss the issue of zoning regarding Commercial Street, as well as the issue of social service providers, and “hostels.”

Jim Harriger briefly addressed that the social service providers do coordinate their efforts with each other to help assist individuals in need at this time.

Mr. Davis briefly discussed a “campus” setting near Hazelton, Minnesota. Mr. Rognstad noted that the City has not conducted any research regarding these types of social service environments, such as “campus,” at this time.

Mr. Rognstad explained that it is difficult for the City staff to predict the future regarding the issue of development and zoning. He noted that the City staff does try to monitor trends, and listen to citizen thoughts relating to developments and zoning concerns.

Mr. Rognstad explained that City staff is waiting for the Task Force’s recommendations before proceeding with the issue of “hostels.”

Mr. Rognstad and Laura Derrick briefly made comments relating to zoning. Ms. Derrick addressed that she feels that one of the main purposes is to try to leave room for options to create a more viable and diverse Community in respect to development and zoning.

Mr. Rognstad informed the Task Force that he would obtain information from the Springfield Convention and Visitors Bureau (CVB) regarding the issue of "hostels" and tourism for their review.

The Task Force and Mr. Rognstad made final comments regarding the issue of zoning, as well as discussed their charge.

Mr. Ibarra informed the Task Force that their charge has not changed, but is "evolving."

Mr. Harriger reported that a study regarding the continuum of care within the City is being conducted, and he would provide the Task Force with information once it has been completed.

Mr. Rognstad noted that approximately \$550,000 relating to the creating of a new Homelessness Prevention and Rapid Re-Housing Program was approved for the City. Mr. Harriger added that this program is being administered by The Kitchen, Inc.

Following further discussion, Mr. Ibarra thanked Mr. Rognstad for tonight's presentation.

Mr. Ibarra noted that a Task Force meeting would not be held next week due to a meeting conflict of the City Council. He reported that the next Task Force meeting would be held in two weeks on August 26, 2009.

With no further business, the Task Force meeting was adjourned at approximately 8:15 p.m.

**Climer, Anita Baker**

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**From:** Climer, Anita Baker  
**Sent:** Friday, August 07, 2009 1:36 PM  
**To:** 'Bob Pilkington'; 'Cindy Rushefsky'; 'Cindy Stephens'; 'Doug Burlison'; 'Jack Pugh'; 'Jim Harriger'; 'Laura Derrick'; 'Lyle Foster'; 'Mark Davis'; 'Mary Collette'; 'MacPherson, Mike'; 'Nick Ibarra'; 'Pauletta Dunn'; 'Phyllis Ferguson'; 'Rusty Worley'; 'Steve Wiener'  
**Cc:** #City Manager's Office; Wichmer, Dan; Rognstad, Ralph; Hough, Olivia; Whall, Louise; Brothers, Mike; 'Rorie\_orgeron@thekitcheninc.org'; 'Janice4justice@yahoo.com'; 'alitchy@unaonline.org'; 'f.brown.sps@gmail.com'; 'dmagditch@kspr.com'; 'Donnie Rodgers, Jr.'  
**Subject:** August 12th C-Street Task Force Info.  
**Attachments:** 08-12-09.pdf; 07-29-09.pdf; Newly Updated Schedule of Meetings.pdf; Email from Chief.pdf; Zoning Info for August 12.pdf

Attached is the following information regarding next week's C-Street Task Force meeting for August 12, 2009 for your review:

Agenda

Draft Minutes of July 29, 2009

Newly Revised Schedule of Meetings (as of August 3, 2009) (there was a conflict regarding presentations, and two topics were flipped to better accommodate the presenters)

An email response from the Chief of Police regarding the issue of reservists

Documents/Materials for the August 12, 2009 meeting regarding the issue of the City's Zoning Ordinance

Have a GREAT weekend! :- )

Anita Baker Climer  
City Clerk's Office  
City of Springfield  
Phone: 864-1654  
Fax: 864-1649

Recipient	Delivery	Read
'Bob Pilkington'		
'Cindy Rushefsky'		
'Cindy Stephens'		
'Doug Burlison'		
'Jack Pugh'		
'Jim Harriger'		
'Laura Derrick'		
'Lyle Foster'		
'Mark Davis'		
'Mary Collette'		
MacPherson, Mike	Delivered: 8/7/2009 1:36 PM	
'Nick Ibarra'		
'Pauletta Dunn'		
'Phyllis Ferguson '		
'Rusty Worley'		
'Steve Wiemer'		
#City Manager's Office		
Wichmer, Dan	Delivered: 8/7/2009 1:36 PM	
Rognstad, Ralph	Delivered: 8/7/2009 1:36 PM	Read: 8/7/2009 3:07 PM
Hough, Olivia	Delivered: 8/7/2009 1:36 PM	Read: 8/7/2009 2:11 PM
Whall, Louise	Delivered: 8/7/2009 1:36 PM	Read: 8/7/2009 2:13 PM
Brothers, Mike	Delivered: 8/7/2009 1:36 PM	Read: 8/7/2009 2:00 PM
'Rorie_orgeron@thekitcheninc.org'		
'Janice4justice@yahoo.com'		
'alitchy@unaonline.org'		
'f.brown.sps@gmail.com'		
'dmagditch@kspr.com'		
'Donnie Rodgers, Jr.'		

## **Climer, Anita Baker**

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**From:** Rowe, Lynn  
**Sent:** Thursday, July 30, 2009 10:12 AM  
**To:** Climer, Anita Baker; Burris, Greg  
**Cc:** Cirtin, Brenda; 'Nicholas Ibarra'  
**Subject:** RE: C-Street Task Force Questions

All of these ideas have been discussed in the past, and there is no short answer. I'd be glad to discuss the benefits, pitfalls and liability issues at any time. The Accreditation training requirements are based on sound reasoning and make sense as far as limiting liability for the City and danger for the employee. Placing poorly trained people on the street in any capacity is dangerous for the volunteers (or non sworn employee) and the general public. If they are out there and ask for help we may not have the officers to send to help them.

We do have the beat officers for the Commercial Street area drive through there as often as they can but their available time is limited. Unfortunately, since we are functionally short at least 50 officers today (and it will be more by next week), there is no area in the City that is getting the law enforcement service it expects or deserves.

Lynn S. Rowe  
Chief of Police  
Springfield Police Department  
321 E. Chestnut Expressway  
Springfield, MO 65810  
417-864-1780

**From:** Climer, Anita Baker  
**Sent:** Thursday, July 30, 2009 9:54 AM  
**To:** Burris, Greg; Rowe, Lynn  
**Cc:** Cirtin, Brenda; 'Nicholas Ibarra'  
**Subject:** C-Street Task Force Questions

At last night's Commercial Street Task Force meeting, there was some discussion regarding the issue of safety and security issues in relation to the Commercial Street area, and how negative behaviors have apparently been occurring more frequently since there is no COP presents/visibility on Commercial Street. (Ms. Rushefsky noted to the Task Force that due to the City's budget cuts and Police/Fire System issue, it would probably be some time before a COP officer would be available again.)

The C-Street Task Force discussed some ways that could possibly be used to help the issue of safety and security on Commercial Street. Mr. Ibarra would like some information to provide to the C-Street Task Force in the future.

Mr. Ibarra has asked me to contact City staff to see what the City's stance is regarding the possibly of using reservist officers, which could help possibly patrol Commercial Street in the future (has the City used reservists in the past, and if so, why was it discontinued, and/or could the City consider using students from Drury University's police training program, with the assistance of a City trained officer, to possibly patrol Commercial Street?) (Ms. Rushefsky noted that she thought there could be a conflict with using the students due to the City's accreditation for Police.) (Ms. Rushefsky suggested that possibly police officers could do some of their

"down time" while they are filling out their reports on Commercial Street to give a presents in the area. She added that the issue would have to be discussed with Chief Rowe.)

Also, apparently some cities are using ambassadors, such as Memphis using ambassadors to help patrol Mill Street. (Could the City possibly consider using ambassadors to help patrol Commercial Street, and what would be the City's stance regarding ambassadors?)

Anita Baker Clinger  
City Clerk's Office  
City of Springfield  
Phone: 864-1654  
Fax: 864-1649



**CITY OF SPRINGFIELD**

**DEPARTMENT OF PLANNING AND DEVELOPMENT**

**MEMORANDUM**

**TO:** Commercial Street Task Force

**FROM:** Mike MacPherson, Principal Planner *MICHAEL K MACPHERSON*

**DATE:** July 30, 2009 *12th*

**SUBJECT:** Materials for August *5th* Meeting

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Mr. Ralph Rognstad will be the speaker at next week's meeting. He will discuss the role and function of the Zoning Ordinance and will also review the purpose, intent, and requirements contained in Center City (CC) zoning. He will also review the purpose and intent of the Conditional Overlay District and how that might be applicable to individual projects or a District.

A copy of each is attached for your review prior to the meeting.

- C. All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with *Section 6-1000*.
- D. Refuse storage areas shall be screened from view in accordance with *Section 6-1000*.
- E. Mechanical and electrical equipment, including air conditioning units shall be screened from view in accordance with *Section 6-1000*.
- F. Lighting shall be designed to reflect away from any adjacent residential area and in accordance with *Section 6-1400*.
- G. Accessory buildings and structures shall meet the requirements of *Section 5-1000*. (G.O. 5425, 11/15/04)

4-3308. **Bufferyard Requirement.** Whenever any development in a CS District is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with *Sections 6-1000 and 6-1200*.

#### **Section 4-3400. CC - Center City District.**

4-3401. **Purpose.** This district is intended to be a mixed-use district that accommodates a variety of residential, commercial, and light industrial uses. It is intended for older commercial and light industrial areas, particularly the Central Business District and Commercial Street area, that tend to accommodate a wide variety of uses. These areas generally developed early in the city's history and do not display the characteristics typical of modern suburban development. These areas may also be experiencing or be in need of rehabilitation or redevelopment. This district is intended to accommodate the transition that must occur if these areas are to contribute to the vitality of the city.

#### **4-3402. Permitted Uses.**

- A. Accessory Uses, as permitted by *Section 5-1000*.
- B. Any commercial establishment which provides supplies and/or services primarily to commercial customers, such as janitorial services, sign shops, packaging or shipping service, locksmith or printing, lithographing, engraving, photocopying, blueprinting, publishing and binding establishments.
- C. Athletic clubs, fitness centers, and indoor sports facilities.
- D. Auction sales and flea markets entirely within enclosed buildings.

- E. Automobile parts and accessory stores, including service and repair, when entirely within enclosed buildings.
- F. Awning and canvas sales and rental.
- G. Banks and financial institutions, including automatic teller machines and drive-thru facilities.
- H. Bed and breakfasts.
- I. Boarding, rooming, and lodging houses.
- J. Bus garages.
- K. Bus stations.
- L. Cemeteries.
- M. Churches and other places of worship, including parish houses, and Sunday schools. (G.O. 5471, 06/27/05)
- N. Civic, convention, and cultural centers.
- O. Colleges, universities, and business colleges.
- P. Commercial amusements, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice skating arenas, and motion picture theaters, excluding drive-in theaters.
- Q. Commercial off-street parking lots and structures.
- R. Community center, nonprofit.
- S. Convenience stores with or without gas pumps.
- T. Day care centers in accordance with *Chapter 36, Article XI, Springfield City Code*.
- U. Substance abuse treatment facilities for fifty (50) or fewer residents, provided the facility:
  - 1. Is located at least two thousand (2000) feet from any other substance abuse treatment facility, or two thousand (2000) feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and

2. A plan of operation, including but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department. (G.O. 5343, 1/12/04)
- V. Educational, cultural, public, or nonprofit institutions such as museums, art galleries, libraries and elementary and secondary schools, but not including correctional institutions.
- W. Funeral homes and mortuaries (crematoriums are permitted as accessory uses).
- X. Furniture and appliance stores.
- Y. Glass and mirror sales.
- Z. Governmental buildings and uses.
- AA. Group homes, custodial.
- BB. Hospitals with ambulance services as accessory uses.
- CC. Hotels, motels, and inns.
- DD. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with *Section 6-1000*.
- EE. Medical and dental clinics.
- FF. Medical and dental laboratories and research facilities, not including the manufacture of pharmaceutical or other products for general sale or distribution, provided no toxic substances, explosives, radioactive material, highly flammable substances or other materials that pose a threat to public health and safety, due to their quantities or location, are utilized in the research operations.
- GG. Office equipment repair.
- HH. Offices, administrative, business, finance, and professional.
- II. Offices, medical and dental.
- JJ. Emergency shelters and soup kitchens legally conforming at the time of the passage of this ordinance provided that a use permit is obtained for any expansion of said use. (G.O. 4763, 12/15/97)
- KK. Package liquor stores.
- LL. Pawn shops and second-hand stores.

- MM. Personal service establishments including beauty parlors, barber shops, dry cleaning and laundry pick-up, shoe repair, self-service laundromats, express or mailing offices and hearing aid and eye glass shops.
- NN. Police and fire stations.
- OO. Private clubs and lodges.
- PP. Public and private parks, playgrounds and golf courses, including miniature golf courses and driving ranges.
- QQ. Public service and public utility uses, as follow: (G.O. 5094, 7/9/01)
1. Tier I wireless facilities in accordance with *Section 5-2600*.
  2. Tier III wireless facilities in accordance with *Section 5-2600* provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.
  3. Tier IV wireless facilities in accordance with *Section 5-2600* provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional providers' facilities if the tower height is one-hundred-twenty (120) feet or greater.
  4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
- RR. Recording studios.
- SS. Repair shops, home appliance.
- TT. Residential uses except those which require a conditional use permit in accordance with *Subsection 4-3403*.
- UU. Restaurants, including drive-in, pick-up, and drive-thru facilities.
- VV. Restricted production and repair establishments (for retail sale on the premises only), including the following types of activities: Custom tailoring and alteration of clothing, jewelry from precious metals, watches, dentures, and optical lenses.
- WW. Retail establishments for the following types of uses: Bakery, package liquor, books, candy, dairy products, drugs, groceries, flowers, gifts, jewelry, hobby

materials, meat, fish, and poultry, newsstands, wearing apparel, shoes, clothing, toys, pipe and tobacco and video rental.

- XX. Schools and studios for art, dancing, drama, music, photography, interior decorating, or similar courses of study.
- YY. Schools or development centers for persons with handicaps or development disabilities.
- ZZ. Schools, business.
- AAA. Schools, elementary and secondary.
- BBB. Stadiums.
- CCC. Taverns and cocktail lounges.
- DDD. Taxi dispatch yards and offices.
- EEE. Television and radio studios with transmitting facilities. (G.O. 5094, 7/9/01)
- FFF. Temporary uses, as permitted by *Section 5-1200*.
- GGG. Towers other than wireless facilities, less than one-hundred (100) feet in height, and related facilities. (G.O. 5094, 7/9/01)
- HHH. Catering businesses.
- III. Pet stores and pet grooming.

4-3403. **Conditional Uses.** The following conditional uses may be permitted provided they meet the provisions of, and a Conditional Use Permit is issued pursuant to, *Section 3-3300* of this Article.

- A. Any manufacturing, production, processing, cleaning, servicing, testing, repair, or storage of materials, goods or products which is not allowed as a permitted use.
- B. Automobile service garages.
- C. Automobile service stations.
- D. Residential uses on first floor frontage of buildings that front on Commercial Street or front on Olive, Park Central, McDaniel and Walnut Streets between Campbell and Jefferson Avenues or front on Campbell, South, Boonville and Jefferson Avenues between Water Street and Pershing Street.

- E. Towers other than wireless facilities, exceeding one-hundred (100) feet in height, and related facilities, in accordance with *Subsection 3-3310.B.1.* (G.O. 5094, 7/9/01)
- F. Warehouses, storage and distribution centers.
- G. Transitional service shelter. (G.O. 4763, 12/15/97)
- H. Tier V wireless facilities in accordance with *Section 5-2600.* (G.O. 5094, 7/9/01)

**4-3404. Use Limitations.**

- A. All activities and permitted uses except the following shall be conducted entirely within a completely enclosed building.
  - 1. Off-street parking and loading facilities.
  - 2. Drive-in, pick-up or drive-thru facilities.
  - 3. Automobile servicing, but not repair.
  - 4. Outdoor eating and drinking facilities.
  - 5. Occasional sidewalk sales.
  - 6. Street vendors licensed by the City of Springfield.
  - 7. Playgrounds associated with a school or day care center.
  - 8. Outdoor live or amplified music provided a permit for such activity has been obtained from the City Manager pursuant to Chapter 2, Article I, Section 2.1.8.1, Permits for Outdoor Music and any regulations promulgated by the City Manager and on file with the City Clerk. (G.O. 4825, 8/17/98) (G.O. 4915, 7/19/99)
- B. No vibration, glare, or heat shall be detectable at the lot line.
- C. No dust, particulate matter, or noxious or toxic matter of any sort shall be emitted or discharged at any time.
- D. All uses shall operate in accordance with the noise standards contained in *Section 6-1500.*
- E. All flammable petroleum products and petrochemicals shall be stored in a fireproof enclosure and no more than fifty (50) gallons of such products shall be so stored except at automobile service stations.

- F. No use shall emit an odor that creates a nuisance as determined by *Chapter 2A, Article X, Springfield City Code*.
- G. Uses on parcels not served by public water and public sewer shall meet the requirements of *Subsection 1-1322*.

**4-3405. Bulk Regulations.**

- A. Maximum structure height: None.
- B. Maximum floor area ratio: 10.0.
- C. Yard requirements (Additional bufferyard may be required by *Subsection 4-3408*):
  - 1. Front yard: None.
  - 2. Side yard: None.
  - 3. Rear yard: None.
  - 4. However, in no event may a structure be erected closer to the centerline of an existing or planned street than as prescribed below, except as permitted by *Subsection 1-1317.B* and *Subsection 1-1317.D*. (G.O. 5425, 11/15/04)

Street Classification	Required Setback from Right-of-Way Center Line
Freeway	150 feet plus the required yard setback
Expressway	65 feet plus the required yard setback
Primary Arterial	50 feet plus the required yard setback
Secondary Arterial	35 feet plus the required yard setback
Major Collector	30 feet plus the required yard setback
Residential Collector	25 feet plus the required yard setback
Commercial/Industrial Local	30 feet plus the required yard setback
Residential Local	25 feet plus the required yard setback
Highway Access Road	20 feet plus the required yard setback
Downtown Streets	Required yard setback from right-of-way line

- D. Maximum lot coverage: One-hundred (100) percent.

**4-3406. Open Space Requirements. None.**



**4-3407. Design Requirements.**

- A. A site plan meeting the requirements of *Section 3-3000*, shall be submitted and approved.
- B. If required, a landscape plan, meeting the requirements of *Section 6-1200* and *6-1300*, shall be submitted and approved.
- C. All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with *Section 6-1000*.
- D. Refuse storage areas shall be screened from view in accordance with *Section 6-1000*.
- E. Mechanical and electrical equipment, including air conditioning units shall be screened from view in accordance with *Section 6-1000*.
- F. Lighting shall be designed to reflect away from any adjacent residential area and in accordance with *Section 6-1400*.
- G. Accessory buildings and structures shall meet the requirements of *Section 5-1000*. (G.O. 5425, 11/15/04)

**4-3408. Bufferyard Requirement.** Whenever any development in a CC district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with *Sections 6-1000* and *6-1200*.

1. Airport noise level of sixty-five (65) through sixty-nine (69) Ldn must be reduced by a minimum of twenty-five (25) decibels.
  2. Airport noise level of seventy (70) and greater Ldn must be reduced by a minimum of thirty (30) decibels.
- B. The required minimum NLR applies to all portions of a structure where the public is received, office areas, public assembly rooms, sleeping areas, noise sensitive areas, or where the normal noise level is low.

### **Section 4-2700. CO - Conditional Overlay District.**

- 4-2701. **Purpose.** The Conditional Overlay District is intended to allow a floating zone to be established as an overlay to a base zoning district, which limits the particular uses to be established in accordance with specific standards and conditions. There are circumstances in which a base zoning district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate for the property consistent with the objectives of these regulations and the Comprehensive Plan.
- 4-2702. **Application.** The applicant may apply for an amendment to the base zoning classification and jointly apply for Conditional Overlay District. Property may be rezoned to a Conditional Overlay District only in response to and consistent with a petition submitted by the owners of all the property to be included in the district. A petition for a Conditional Overlay District must specify the use or uses of the base zoning district that are intended for the property and any conditions, that, in addition to all general zoning ordinance requirements, will govern the development and use of the property. A Conditional Overlay District can only reduce the uses of the base zoning district and not allow any uses not permitted in the base zoning district. If additional uses are desired that are not permitted in the base zoning district, a rezoning to a different base zoning district or a planned development is required. A Conditional Overlay District may also be used to set density in accordance with the Multi-Family Development Location and Design Guidelines for R-LD, R-MD and R-HD Districts and for Planned Developments, when multi-family uses are requested.
- 4-2703. **Required Conditions.** A conditional Overlay District may include some conditions from the following list or such other special restrictions as approved by City Council.
- A. Increased bufferyards
  - B. Reduced height
  - C. Increased setbacks
  - D. Increased open space
  - E. Restrictions on operation of the use, included but not limited to, limitations of days of operation, noise level, intensity of use, lighting, and signage
  - F. Increased minimum lot area and dimensions
  - G. Reduced building coverage

- H. Off-site improvements related directly to the intensity of development
- I. Modified design requirements
- J. Increases in the allowed density for multi-family uses not to exceed those stated in the following table:

Zoning District	Maximum Density
R-LD	18 DU/acre
R-MD	29 DU/acre
R-HD	40 DU/acre

- 4-2704. **Mapping.** Upon approval, a Conditional Overlay District shall be noted on the Official Map by the base zoning district designation with the addition of "-CO."